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June 27, 2023
VIA ECF

The Honorable Valerie Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: Nike, Inc. v. StockX LLC, No. 22 CV 00983 (VEC) (SN) (S.D.N.Y.)
Joint Request for Two-Week Adjournment of Pre-Trial Conference and Expert
Discovery Deadline

Dear Judge Caproni:

Plaintiff Nike, Inc. (“Nike”) and Defendant StockX LLC (“StockX,” and together with Nike, the “Parties”) respectfully request that the Court extend the expert discovery deadline by two weeks, from **August 24, 2023** (Apr. 7, 2023 Conf. Tr. at 16:23-17:8), to **September 7, 2023** and adjourn the **August 25, 2023** pretrial conference (Apr. 7, 2023 Conf. Tr. at 17:8), to **September 8, 2023** at 10:00 AM or a later date and time that is convenient for the Court.

The Parties respectfully seek this extension and adjournment for two reasons. The first is that Nike’s lead counsel Tamar Duvdevani and several other members of the Nike trial team are scheduled to be on trial in another Lanham Act litigation pending the District of Delaware from August 21 to August 25, 2023. (*Golo, LLC V. Goli Nutrition, Inc. et al.*, Case No. 1:20-cv-667). The second is the breadth of expert discovery. In particular, the parties collectively served expert reports from thirteen expert witnesses (five Nike experts; eight StockX experts). While most of these experts have already been scheduled for depositions between now and August 24, 2023, the Parties were unable to accommodate several of the depositions during the current expert discovery period. The Parties therefore request two additional weeks to complete expert depositions and to adjourn the currently scheduled August 25, 2023 counsel so that Nike’s lead counsel may prepare for and attend the conference.

This is the Parties’ first request to reschedule this pretrial conference, although the Parties have previously sought extensions of the discovery deadlines in this case.

The Parties thank the Court for its attention to this matter.



Hon. Valerie E. Caproni
June 27, 2023
Page Two

Respectfully submitted,

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